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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

ROBERT P. MOSIER, Federal
Equity Receiver for the Church for
the Healthy Self aka CHS Trust,
CHS Asset Management, Inc., and
iCare Financial Solution, Inc.,

Plaintiffs,

v.

MATTHEW ALAN SHELTON, an
individual,

Defendant.

Case No. 8:22-cv-01361-JVS(KESx)

**NOTICE OF MOTION AND MOTION
FOR ENTRY OF DEFAULT
JUDGMENT AGAINST
DEFENDANT MATTHEW ALAN
SHELTON**

Hearing Information:
DATE: February 27, 2023
TIME: 1:30 p.m.
CTRM: 10C
JUDGE: Hon. James V. Selna

**TO THE HONORABLE JAMES V. SELNA, UNITED STATES DISTRICT
JUDGE, AND ALL OTHER PARTIES IN INTEREST:**

PLEASE TAKE NOTICE that on February 27, 2023, at 1:30 p.m., the Court is scheduled to hold a hearing on the motion (the "Motion") of Robert P. Mosier, the receiver ("Receiver") for The Church for the Healthy Self aka CHS Trust ("CHS"), iCare Financial Solution, Inc., CHS Asset Management, Inc., and the assets of Kent R.E. Whitney, David Lee Parrish, and Ngoc Ha T. Nguyen and the plaintiff in this action, for an order entering a default

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1 judgment against Defendant Matthew Alan Shelton ("Defendant") pursuant
2 to Federal Rule of Civil Procedure 55(b). The Receiver seeks entry of a
3 judgment for the first cause of action for avoidance and recovery of voidable
4 transfers pursuant to California Civil Code § 3439.04(a)(1) in favor of the
5 Receiver and against Defendant in the amount of \$60,000.00 along with
6 pre-judgment interest at the rate of seven percent (7%) per year, as
7 calculated from the date of each respective Transfer to Defendant, and post
8 judgment interest, compounded annually, from the date of judgment until
9 paid. In support of this Application, the Receiver submits the following
10 memorandum of points and authorities and the declarations of Sharon Oh-
11 Kubisch and Robert P. Mosier in support thereof.

12 The Motion is based on this Notice of Motion, the accompanying
13 Memorandum of Points and Authorities, and the declarations of Sharon Oh-
14 Kubisch and Robert P. Mosier in support thereof.

15 **PLEASE TAKE FURTHER NOTICE** that the Court may post a
16 tentative ruling no later than mid-afternoon on the Friday prior to the hearing.
17 A party may file a request for hearing of no more than five pages by 5:00
18 p.m. the day after the scheduled hearing stating why oral argument is
19 necessary. If no request is submitted, the matter will be deemed submitted
20 on the papers and the tentative ruling will become the order of the Court. If
21 the request is granted, the Court will advise the parties when and how the
22 hearing will be conducted.

23 **PLEASE TAKE FURTHER NOTICE** that pursuant to Local Rule 7-9,
24 each opposing party shall, not later than twenty-one (21) days before the
25 date scheduled for the hearing, serve upon all other parties and file with the
26 Clerk either (a) the evidence upon which the opposing party will rely in
27 opposition to the Motion and a brief but complete memorandum which
28 contains a statement of all the reasons in opposition thereto and the points

1 and authorities upon which the opposing party will rely, or (b) a written
2 statement that the party will not oppose the Motion. Evidence presented in
3 all opposing papers shall comply with the requirements of Local Rules 7-6,
4 7-7 and 7-8. If you fail to file and serve a written opposition by the above
5 date, the Court may grant the requested relief without further notice.

6
7 Respectfully submitted,

8 DATED: January 27, 2023

SMILEY WANG-EKVALL, LLP

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11 By: /s/ Sharon Oh-Kubisch
12 Sharon Oh-Kubisch
13 Counsel for Robert P. Mosier, Receiver
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